ZONING BOARD OF APPEALS

Tuesday, September 15, 2009 6:30 P.M. – City Council Chambers Rockford City Hall, 425 East State Street

Present:

ZBA Members: Alicia DiBenedetto Neubauer

Aaron Magdziarz Dan Roszkowski Julio Salgado Scott Sanders Craig Sockwell

Absent:

Staff: Brenda Alegria, Planner

Sandra Hawthorne – Administrative Assistant Jon Hollander – City Engineer, Public Works

Mark Marinaro - Fire Prevention Kerry Partridge, City Attorney

Others: Reid Montgomery, Director of Economic & Community Development

Kathy Berg, Stenographer Applicants and Interested Parties

Acting Chairman Dan Roszkowski called the meeting to order at 6:30 PM.

Sandra Hawthorne explained the format of the meeting will follow the Boards Rules of Procedure generally outlined as:

The Chairman will call the address of the application.

- The Applicant or representative are to come forward and be sworn in.
- The Applicant or representative will present their request before the Board
- The Board will ask any questions they may have regarding this application.
- The Chairman will then ask if there are any Objectors or Interested Parties. Objectors or Interested Parties are to come forward at that time, be sworn in by the Chairman, and give their name and address to the Zoning Board secretary and the stenographer
- The Objector or Interested Party will present all their concerns, objections and questions to the Applicant regarding the application.
- The Board will ask any questions they may have of the Objector or Interested Party.
- The Applicant will have an opportunity to rebut the concerns, answer questions of the Objector or Interested Party
- No further discussion from the Objector or Interested Party will occur after the rebuttal of the Applicant.

The Board will then discuss the application and a vote will be taken.

It was further explained to the public in attendance, applicants, objectors and interested parties that this meeting is not a final vote on any item. The date of the Codes & Regulations meeting was given as Monday, September 28th, at 4:30 PM in Conference Room A of this building as the second vote on these

items. The public in attendance, applicants, objectors and interested parties were instructed that they could contact Sandra Hawthorne in the Zoning Office for any future information and that her phone number was listed on the top of the agenda which was made available to all those in attendance at the beginning of the meeting.

A **MOTION** was made by Alicia DiBenedetto to **APPROVE** the minutes of the August 18th meeting as submitted. The Motion was **SECONDED** by Aaron Magdziarz and **CARRIED** by a vote of 6-0.

037-09 <u>601 Harrison Avenue</u>
Applicant Cindy Vaughan

Ward 5 Special Use Permit for an electric fence that is not an approved material in an I-1, Light

Industrial Zoning District

The subject property is located on the southeast corner of Harrison Avenue and Olsen Street and is currently an auto salvage business. The existing electric fence is located on the eastern third of the main lot being used to surface storage of motor vehicles. Cindy Vaughan, Sentry Security Systems, representing the Applicant, reviewed the request for Special Use Permit. She explained that the electric fence is completely enclosed within a solid aluminum sided fence and cannot be seen unless the perimeter fence is breached. The electric fence is monitored 24 hours a day, and is charged by a 12 volt battery. 7,000 volts are sent to the fence every 1.3 seconds. The fence itself has 20 electrical wires that go to a fence height of 10 feet. If an intruder gets through the wires, an alarm goes off at the customer security center. Ms. Vaughan explained the electric fence is only around one section of the business and not in a location where the public would have access during business hours. The Applicant agreed that the fence was installed without a permit, but stated they came to the City for a permit rather than the City putting a violation on the property.

In response to questions from the Board, Ms. Vaughan verified that should the perimeter metal fence collapse into the electric fence, the electric fence would short out. If anyone were to jerry-rig the system, it would short out. She further explained it was not the intent of the property owner to do the entire property with electric fence. The remainder of the property has buildings in various areas and the only electrical fencing would be to secure outside property, not the buildings.

Attorney Partridge asked the Applicant if Sentry Security Systems maintains insurance. Ms. Vaughan stated her company does provide insurance up to a 2 million dollar liability policy. Attorney Partridge felt there could be situations in what is called a "spring trap" occurrence where, for example, a person with a pacemaker could incur serious injury or death and he asked the Board to consider this aspect. Ms. Vaughan stated Sentry Security Systems would be willing to sign a contract that would hold the City harmless for injury or death. She felt there have been no instances of any serious injury that has occurred as a result of their electric fences.

Steve Branch, 12214 Sleepy Hollow Road in Roscoe was present as manager of the subject property. He stated one day he came in to find 8 vehicles that had parts removed and stolen. Mr. Branch further stated thieves will be endangering the neighborhood by going through the area. Stated these are people with purpose intent on robbery, Since these fences are so high a ladder is needed to access, anyone breaching the perimeter fence would be those who are not supposed to be there and whose intent is to commit a crime. He clarified there is no way anyone could accidentally touch the electric fence without breaching the perimeter fence. Mr. Branch felt this will create safety for the neighborhood because it will cause criminals to go elsewhere. He further stated it is not financially feasible for him to hire security guards with the economic situation.

Alvin Alexander, 523 South Avenue asked the Applicant if he planned to create a buffer between the subject property and the surrounding neighborhood. Mr. Branch responded that there is a separation existing between the residential area by rental buildings.

Staff Recommendation was for Denial. Brenda Alegria stated this recommendation was based on electrical fences not being allowed within the City. Mr. Sanders agreed that there needs to be further discussion and evaluation on electrical fences. Mr. Roszkowski feels this fence is an appropriate application. Ms. DiBenedetto feels the concept and quality of electrical fences have changed and the Board should consider these changes as well.

Attorney Partridge stated if the company was willing to sign a Hold Harmless Agreement and this was added as a condition of Approval, he would be more comfortable. He stated at this point it has been shown that the fence will not kill anyone, until it does. Technology will eventually overcome a lot of fears regarding electrical fences, but this is something the Council would have to recommend regarding further uses. Mr. Hollander stated there is no buffering on this site. Does not see any landscaping at all and feels this is a valid concern of Mr. Alexander. He agrees with Attorney Partridge that there needs to be some guidance as to where and when this type of fencing should be allowed. Mr. Roszkowski felt the Board was within their rights to allow or deny this type of fence. Ms. Alegria explained this property was developed over 50 years ago and is a grandfathered use, which explains the lack of buffering and landscaping. Mr. Sanders was not comfortable with bringing all of the property into landscaping compliance.

Ms. Alegria suggested conditions be added that the fence be in accordance with Exhibit D and that the Hold Harmless agreement be a condition in conjunction with issuance of the fence permit.

The Board discussed adding landscaping along the Harrison Road area. Mr. Branch stated this is all asphalt. Mr. Sanders stated he did not need all of the asphalt as shown, with an approximate 180 foot curb cut. Mr. Branch stated he is willing to work with Staff on landscaping.

A **MOTION** was made by Scott Sanders to **APPROVE** the Special Use Permit for an electric fence that is not an approved material in an I-1, Light Industrial Zoning District at <u>601 Harrison Avenue</u> with added conditions 1, 2, and 3. The Motion was **SECONDED** by Alicia DiBenedetto and **CARRIED** by a vote of 6-0.

Approval is subject to the following conditions:

- 1. The fence be constructed in accordance with submitted Exhibit D
- 2. A Hold Harmless Agreement with the City shall be provided in conjunction with a fence permit.
- 3. Applicant to provide perimeter landscaping, including required landscape units along Harrison Avenue adjacent to main parking lot as drawn on revised Exhibit C.

ZBA 037-09

Findings of Fact for a Special Use Permit
To Allow an Electric Fence that is Not an Approved Material
In An I-1, Light Industrial Zoning District at
601 Harrison Avenue

Approval of this Special Use Permit is based upon the following findings:

- 1. The establishment, maintenance or operation of the Special Use Permit will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the community.
- 2. The Special Use Permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

- 3. The establishment of the special use will not impede the normal or orderly development and improvement of the surrounding property for uses permitted in the district.
- 4. Adequate utilities, access roads, drainage and/or necessary facilities have been provided.
- 5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
- 6. The special use shall, in all other respects, conform to the applicable regulations of the I-1 Zoning District in which it is located.

038-09 <u>6180 East State Street</u>

Applicant Ramesh Vemuri

Ward 1 Special Use Permit for a Methadone Clinic in a C-2, Limited Commercial Zoning District

This item will be Laid Over to the October 20th meeting.

A **MOTION** was made by Scott Sanders to **LAY OVER** the Special Use Permit for a Methadone Clinic in a C-2, Limited Commercial Zoning District at <u>6180 East State Street</u>. The Motion was **SECONDED** by Aaron Magdziarz and **CARRIED** by a vote of 6-0.

039-09 <u>6954 Clovernook Road</u>

Applicant Gabriel Macias

Ward 1 Variation to increase the maximum fence height from four (4) feet to six (6) feet in the

front yard in an R-1, Single-family Residential Zoning District

Prior to the meeting, a written request was received from the Applicant to Lay Over this item to the October 20th meeting.

A **MOTION** was made by Scott Sanders to **LAY OVER** the Variation to increase the maximum fence height from four 94) feet to six (6) feet in the front yard in an R-1, Single-family Residential Zoning District at 6954 Clovernook Road. The Motion was **SECONDED** by Aaron Magdziarz and **CARRIED** by a vote of 6-0.

040-09 3804 East State Street

Applicant Stewart Olson

Ward 10 Variation to reduce the required landscape requirements per the Ordinance as shown on

the submitted plan in a C-2, Limited Commercial District

The subject property is located on the north side of East State Street south of Morsay Drive and is the Crest Shopping Center. Jeff Wilhelm, representing Subway restaurant, and Stewart Olson were present. Mr. Wilhelm wishes to establish a Subway on this property. The façade will be brick per Mr. Olson's request. Mr. Wilhelm stated landscaping requirements are a financial burden that could "kill the deal".

Ms. DiBenedetto pointed out the submitted plans do not indicate how much of a reduction in landscaping they propose. Mr. Sanders stated there are two plans submitted and verified that Staff is willing to approve Exhibit D. Mr. Sanders asked why the end cap island was taken out. Mr. Olson stated he felt

the snowplow would tear it up, to which Mr. Sanders stated the snowplow needs to be careful and avoid it. He felt this end cap island would be beneficial to this landscaping plan. Mr. Wilhelm was in disagreement with adding landscaping as suggested by Mr. Sanders. Mr. Sanders made several recommendations regarding landscaping. The Board wished to add conditions 5 and 6 regarding landscaping.

Mr. Sockwell asked if Tabu used this parking lot. Mr. Wilhelm stated that club is not on this property. The Board felt there was a cross-parking agreement with Tabu and the subject property. Ms. Alegria verified the agreement was for the first two rows north.

Staff Recommendation was for Approval of the Variation as shown on the submitted plan labeled as Exhibit D, and Denial of the Variation as show on the submitted plan labeled as Exhibit E, subject to 4 conditions. No Objectors or Interested Parties were present.

A **MOTION** was made by Scott Sanders to **APPROVE** the Variation to reduce the required landscape requirements per the Ordinance as shown on revised plan Exhibit E with added conditions 5 and 6 in a C-2, Limited Commercial District at <u>3804 East State Street</u>. The Motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 6-0.

Approval is subject to the following conditions:

- 1. That the landscaping be removed from the public right-of-way as proposed south of the proposed Subway building.
- 2. That the removed landscaping be incorporated within the front area of the proposed Subway building.
- 3. Must meet all applicable building and fire codes.
- 4. Submittal of a tentative and final plat for staff's review and approval.
- 5. The half island located at the NE corner of the new Subway lot become a full island.
- 6. Submittal of revised Exhibit E to include two landscape islands as shown on Exhibit D.

ZBA 040-09 Findings of Fact for a Variation To Reduce the Required Landscape Requirements Per the Ordinance As Shown on Revised Plan as Exhibit D In a C-2, Limited Commercial District at 3804 East State Street

Approval of this Variation is based upon the following findings:

- 1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
- 2. The conditions upon which a petition for this Variation are based are unique to the property for which the Variation is sought and are not applicable, generally, to other property within the same zoning classification.
- 3. The purpose of this Variation is not based exclusively upon a desire to increase the value or income potential of the property.
- 4. The alleged difficulty or hardship is caused by this Ordinance and has not been created by any persons presently having an interest in the property or by any predecessor in title.
- 5. The granting of this Variation will not be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located.

- 6. The proposed Variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair the property values within the neighborhood.
- 7. The proposed Variation does comply with the spirit and intent of restrictions imposed by this Ordinance.

041-09 3533 20th Street

Applicant Thomas & Maria Celia Hernandez

Ward w/b 6 Annexation and Zoning Map Amendment from AG, Agriculture District (County) to R-1,

Single-family Residential District

Special Use Permit for a Planned Unit Development for a residence, nursery, office, and limited outdoor storage of landscaping materials and equipment in an R-1, Single-

family Residential District

The subject property is located north of U.S. Highway 20 and west of 20th Street and is approximately 2.64 acres. The property currently contains a single-family home, a large pole building and over an acre of land in a tree nursery. Attorney Robert Torbert, and Thomas Hernandez were present. Mr. Torbert reviewed the Applicant's request. He stated the Applicant has been operating a nursery since 2003 when they purchased the property. Mr. Hernandez was planning to work on one of the buildings and was told by the County that his property was not in compliance. Because of this, he has expressed interest in annexing to the City. Photos of the property were submitted. Mr. Torbert clarified the nursery is limited to trees and shrubs that are used in the Applicant's landscaping business. No customers come to the property. Mr. Hernandez employs 3 to 4 employees. There are several inoperable vehicles stored outside on the property and the City has requested these vehicles be removed.

Staff Recommendation is for Approval with 5 conditions. One Objector was present.

Florence K. Scott, 3532 20th Street also submitted a letter of objection prior to the meeting. She stated she lives across and one house north of the subject property. She is concerned with additional traffic that will be generated and pointed out there already exists an amount of junk vehicles with no license plates on the property.

Marisol Hernandez, 4316 Sunbury Drive, a family member, spoke in favor of the Applicant. Ms. Hernandez does not work for the Applicant. She stated the vehicles coming and going are family members. The semi-truck deliveries are mulch and delivered once a month. She also stated that whether or not the business is there, 20th Street is a busy street.

In response, Mr. Torbert stated the Applicant does not plan to expand the property. He verified only Mr. Hernandez' parcel is being annexed. Ms. DiBenedetto wished to verify the improvement to the structure. Mr. Hernandez clarified he is not enlarging the structure, only repairing one wall.

Mr. Sanders asked Staff to verify the annexation process to the neighbors. Ms. Alegria explained there are no plans at this time to annex other properties. If a property is less than 60 acres and surrounded by the City it could be annexed, but this is not the case with the Applicant's property. The Applicant had contacted Staff with a request to come into the City.

A **MOTION** was made by Craig Sockwell to **APPROVE** the Annexation and Zoning Map Amendment from AG, Agriculture District (County) to R-1, Single-family Residential District; and to **APPROVE** the Special Use Permit for a Planned Unit Development for a residence, nursery, office, and limited outdoor storage of landscaping materials and equipment in an R-1, Single-family Residential District at <u>3533 20th Street</u>. The Motion was **SECONDED** by Scott Sanders and **CARRIED** by a vote of 6-0.

Approval is subject to the following conditions:

- 1. A building permit must be obtained prior to construction of any addition to the existing out building or any new structure. Architectural drawings must be submitted as part of the permit for review and approval.
- 2. The façade of the existing out building shall be an approved material when an addition is made to the building.
- 3. Outdoor storage shall be limited to the location as depicted on the site plan (Exhibit D).
- 4. Any storage of vehicles shall be limited to the landscaping business and shall be currently licensed and registered and operable.
- 5. Meeting all applicable building and fire codes.

ZBA 041-09

Findings of Fact for an Annexation Agreement and Zoning Map Amendment from County AG to City R-1 Single-Family Residential District at 3533 20th Street

Approval of this Zoning Map Amendment is based upon the following findings:

- 1. The proposed Zoning Map change is consistent with Article II, Intent and Purpose, of the Rockford Zoning Ordinance for the following reasons:
 - a. This proposal promotes the health, safety, comfort, convenience, morals and general welfare for the citizens of Rockford because it is consistent with the comprehensive plan and surrounding uses;
 - This proposal protects the character, scale and stability of the adjacent residential and commercial property because the proposed development will meet all development requirements of this site; and
 - c. The proposed map amendment would allow for a reasonable development to take place consistent with the surrounding neighborhood.
- 2. The proposed Zoning Map Amendment is consistent with the approved general plan, the Year 2020 Plan, for the area. The 2020 Plan designates this property as RL, Light Residential

ZBA 041-09

Findings of Fact for a Special Use Permit for a Planned Unit Development For a Residence, Nursery, Office and Limited Outdoor Storage Of Landscaping Materials and Equipment In An R-1, Single-Family Residential District at 3533 20th Street

Approval of this Special Use Permit is based upon the following findings:

- 1. The establishment, maintenance or operation of the Special Use Permit will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the community.
- 2. The Special Use Permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

- 3. The establishment of the special use will not impede the normal or orderly development and improvement of the surrounding property for uses permitted in the district.
- 4. Adequate utilities, access roads, drainage and/or necessary facilities have been provided.
- 5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
- 6. The special use shall, in all other respects, conform to the applicable regulations of the R-1 Zoning District in which it is located, and conditions of approval.

042-09 <u>7550 East State Street</u>

Applicant Kieffer Sign

Ward 1 Variation to increase the maximum allowable height from 8 feet to 33 feet and 11 inches

for a freestanding sign in a C-3, General Commercial District

The subject property is located 353 feet northeast of East State Street and North Bell School Road intersection and is the Holiday Inn. Mike Mele from Kieffer Signs, Kirk Weitzel, and Norman Weitzel were present. Mr. Mele stated all 2500 Holiday Inn signage is being changed. The existing sign has been there since 1975. Norman Weitzel stated the existing sign is 31 feet high. The face of the existing sign is larger than the proposed sign, but the proposed sign is higher than the existing sign. Mr. Mele feels the proposed sign is a necessity for visibility coming onto State Street. He stated there are several other hotels that have signs as large or larger than what they are proposing. Kirk Weitzel stated Holiday Inn is in the middle of a large renovation. It is his opinion that the proposed sign creates a better impression of Rockford when coming off the interstate. He further stated the Fairfield Inn has more signage and Giovanni's has a sign as large as they are proposing. The Applicants agreed the sign is to enhance their income, but stated everything industries do is to enhance their income. The appearance of their sign is modern and will improve the image of Rockford.

Dan Roszkowski asked if this sign only applied to the one facing State Street, not any other sign on the property. The Applicant verified this was so. Scott Sanders verified the rooftop sign will remain. Ms. Alegria wished to remind the Board that the sign ordinance has been revised almost two years ago and there have been several requests for height increase. She suggested if this sign is approved the roof sign be removed. Mr. Roszkowski stated he could not understand the issue with not being able to locate the Holiday Inn, in view of the large sign on the rooftop. Mr. Sanders stated the new sign ordinance is there for a reason and this Board has uniformly supported the Ordinance. He stated change happens one sign at a time. Mr. Mele stated consumers that are not from Rockford may not know where the Holiday Inn is. Mr. Sanders responded that there is plenty of time to see the sign from State Street. Mr. Magdziarz was in agreement with Mr. Sanders.

Staff Recommendation is for Denial.

A **MOTION** was made by Scott Sanders to **DENY** the Variation to increase the maximum allowable height from 8 feet to 33 feet and 11 inches for a freestanding sign in a C-3, General Commercial District at <u>7550</u> <u>East State Street</u>. The Motion was **SECONDED** by Aaron Magdziarz and **CARRIED** by a vote of 5-1 with Craig Sockwell voting Nay.

ZBA 042-09

Findings of Fact for a Variation
To Increase the Allowable Height
From 8 Feet to 33 Feet and 11 Inches
for a Free-Standing Sign
In a C-3, General Commercial Zoning District at
7550 East State Street

Denial of this Variation is based upon the following findings:

- 1. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would not result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
- 2. The conditions upon which a petition for this Variation are based are not unique to the property for which the Variation is sought and are applicable, generally, to other property within the same zoning classification.
- 3. The purpose of this Variation is based exclusively upon a desire to increase the value or income potential of the property.
- 4. The alleged difficulty or hardship is not caused by this Ordinance and has been created by any persons presently having an interest in the property or by any predecessor in title.
- 5. The granting of this Variation will be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located.
- 6. The proposed Variation will impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair the property values within the neighborhood.
- 7. The proposed Variation does not comply with the spirit and intent of restrictions imposed by this Ordinance.

034-09 Applicant Attorney Mario Tarara

Ward 5 Modification of Special Use Permit #001-77 for an expansion of more than 10% for an

auto repair facility in a C-3, General Commercial District

Laid Over from August meeting

The subject property is located on the northwest corner of 15th Avenue and Kishwaukee Street and is currently an auto repair facility. Attorney Mario Tarara, representing the Applicant, reviewed the request. The Applicant wishes to expand the facility by 1,111 square feet, which is more than 10% of the existing building, requiring the Special Use Permit. Mr. Tarara requested condition 4 stating there shall be no overnight outside storage of vehicles be removed.

Ms. DiBenedetto asked the Applicant if he was willing to put a limit on the amount of vehicles and the time they are stored overnight. Mr. Tarara responded they would, but he could not give a figure at this time. Ms. Alegria stated Staff would be willing to work with the Applicant, but that it was difficult to monitor the number of vehicles and the number of days.

Staff Recommendation is for Approval with 6 conditions. No Objectors or Interested Parties were present.

During discussion, Mr. Sanders agreed that some overnight vehicles be allowed. Ms. DiBenedetto stated the site plan did not indicate how many parking spots were available so could not determine how many vehicles could be appropriate. The Board suggested no more than 4 vehicles for a limit of 3 nights.

A **MOTION** was made by Alicia DiBenedetto to **APPROVE** the Modification of Special Use Permit #001-77 for an expansion of more than 10% for an auto repair facility in a C-3, General Commercial District at 1533 Kishwaukee Street with the elimination of condition 4 and the addition of condition 6 The Motion was **SECONDED** by Scott Sanders and **CARRIED** by a vote of 6-0.

Approval is subject to the following conditions:

- 1. Must meet all applicable building and fire codes.
- 2. Submittal of a revised site plan including the required handicap spaces for staff's review and approval
- 3. Submittal of a landscape plan prior to issuance of a building permit for Staff's review and approval
- 4. All vehicles waiting for repair shall be currently licensed and registered
- 5. There shall be no outside storage of vehicle parts or tires.
- 6. No more than 4 (four) vehicles for a limit of 3 (three) nights awaiting service shall be stored outside at one time.

ZBA 034-09

Findings of Fact for a Modification of Special Use Permit #001-77
for an Expansion of More than 10%
For an Auto Repair Facility
In a C-3, General Commercial District at
1533 Kishwaukee Street

Approval of this Special Use Permit is based upon the following findings:

- 1. The establishment, maintenance or operation of the Special Use Permit will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the community.
- 2. The Special Use Permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
- 3. The establishment of the special use will not impede the normal or orderly development and improvement of the surrounding property for uses permitted in the C-3 District.
- 4. Adequate utilities, access roads, drainage and/or necessary facilities have been provided.
- 5. Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.
- 6. The special use shall, in all other respects, conform to the applicable regulations of the C-3 Zoning District in which it is located and conditions of approval.

With no further business to come before the Board, the meeting was adjourned at 8:30

Respectfully submitted, Sandra A. Hawthorne, Administrative Assistant Zoning Board of Appeals